

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MONICA KIM,  
Plaintiff,  
v.  
VIRUS GEEKS, INC.,  
Defendant.

Case No. 23-cv-00175-NC

**ORDER TO SHOW CAUSE AS  
TO WHY THIS CASE SHOULD  
NOT BE ADMINISTRATIVELY  
RELATED**

Re: ECF 1

Plaintiff Monica Kim filed suit against Defendant Virus Geeks, Inc., alleging various employment claims against Defendant Virus Geeks, Inc., in the Superior Court of California, County of Monterey on December 13, 2022. ECF 1 ¶ 4. Kim's complaint, Case No. 22CV001485, alleges various employment violations as a class action. *Id.*, Ex. A. Defendant removed the case to federal court on January 12, 2023.

Simultaneously, it appears Kim also filed a separate lawsuit, Case No. 22CV002336, in the same state court pursuant to the California Private Attorneys General Act. This case also appears to arise from Kim's purported employment with Defendant. Likewise, Defendant also removed this case to federal court on January 12, 2023.

Civil Local Rule 3-12 dictates "[a]n action is related to another when: (1) the actions concern substantially the same parties, property, transactions, or events; and (2) it appears likely that there will be an unduly burdensome duplication of labor and expense or

1 conflicting results if the cases are conducted before different Judges.” Pursuant to this  
2 rule, if the Court believes a case is related to another, the Court “may order the parties to  
3 file a motion” addressing whether the cases should be related. Civil L.R. 3-12(c).

4 Here, it appears from the complaints that the same parties are involved in each  
5 respective case. Moreover, it is likely there would be an unnecessary duplication of labor  
6 if both cases were to proceed on separate tracks. Therefore, the Court ORDERS the  
7 parties to submit a response in opposition to or in support of relating the cases by February  
8 17, 2023. Additionally, the parties must file their consent or declination form regarding  
9 magistrate jurisdiction by February 17, 2023. A copy of the consent/declination form is  
10 available [here](#).

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12 **IT IS SO ORDERED.**

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14 Dated: February 3, 2023

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NATHANAEL M. COUSINS  
United States Magistrate Judge